

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>In Re:</b>  <b>Philip Reed Lively</b>  <b>Debtor(s)</b>	§ <b>Case No. 20-33024-H5-13</b> § § § § <b>Chapter 13</b>
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**DEBTOR(S)' RESPONSE TO**  
**CHAPTER 13 TRUSTEE'S MOTION TO DISMISS CASE**  
(Docket No. 25)

**COMES NOW** Philip Reed Lively, Debtor(s) herein, and file this *Response to Chapter 13 Trustee's Motion to Dismiss Case* (Docket No. 25) (the "Trustee's Motion"), and in support thereof, state as follows:

1. Debtor denies the allegations contained in Paragraph 1 of the Trustee's Motion. The Debtor's plan includes a non-standard provision.
2. Debtor denies the allegations contained in Paragraph 2 of the Trustee's Motion. Debtor believes the plan is feasible pursuant to U.S.C. § 1325 (a)(6). Debtor's payments are scheduled to be made on the 23<sup>rd</sup> of the month by automatic draft and has shown the ability to make payments and comply with the plan.
3. Debtor denies the allegations contained in Paragraph 3 of the Trustee's Motion. Paragraph 10 of the Plan is complete, Trustee previously raised concerns regarding the interest rate listed for Ford Motor Credit Company, LLC. ("Ford"). On July 10, 2020 Ford filed a claim (No. 3), the interest rate is 0.00%.
4. Debtor denies the allegations contained in Paragraph 4 of the Trustee's Motion. Debtor reported all income as required by Form 122C.
5. Accordingly, Debtor(s)' respectfully request the Trustee's Motion be denied or continued

for further hearing.

WHEREFORE, Debtor(s) pray that the Trustee's Motion be denied.

Respectfully submitted,

**GUZMAN LAW FIRM**

*/s/ Eloise A. Guzman*

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 14, 2020, a true and correct copy of the foregoing was served on (1) all parties registered to receive electronic notices, (2) the parties on the attached list, if any, and (3) the following parties, if any.

William Heitkamp via ECF/CM

U.S. Trustee via ECF/CM

Debtor via U.S. Mail

Philip Reed Lively

24109 Kingwood Place Dr., #3108

Kingwood, TX 77339

*/s/ Eloise A. Guzman*

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Eloise A. Guzman

Mayur M. Patel